

BEFORE THE DEPARTMENT OF JUSTICE
OF THE STATE OF MONTANA

In the matter of the proposed amendment)	NOTICE OF EXTENSION OF
of ARM 23.16.102, 23.16.103, 23.16.117,)	COMMENT PERIOD ON
23.16.401, 23.16.502, 23.16.508,)	PROPOSED AMENDMENT
23.16.1245, 23.16.1716, 23.16.1914,)	
23.16.1915, 23.16.1916, 23.16.1916A,)	
23.16.2001, 23.16.2107, and)	
23.16.2302 concerning the effective date)	
of forms, removal of Form 1 from the)	
rules, and application time limit for)	
utilizing an approved automated)	
accounting and reporting system as part of)	
a vending agreement)	

TO: All Concerned Persons

1. On October 25, 2007, the Department of Justice published MAR Notice No. 23-16-190 regarding the public hearing on the proposed amendment of the above-stated rules at page 1572, 2007 Montana Administrative Register, Issue Number 20.

2. The Department of Justice will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than 5:00 p.m. on November 28, 2007, to advise us of the nature of the accommodation that you need. Please contact Rick Ask, Gambling Control Division, 2550 Prospect Avenue, P.O. Box 201424, Helena, MT 59620-1424; telephone (406) 444-1971; Fax (406) 444-9157; Montana Relay Service 711; or e-mail rask@mt.gov.

3. The department is extending the comment period on ARM 23.16.2107 because it was brought to the division's attention that its original statement of rationale and justification failed to state the reason for the proposed rule change, but merely described the effect of the amendment. This extension period will allow interested persons to know the rationale for the proposed rule change and give them an opportunity to comment on the proposed amendment prior to adoption. The public hearing was held on November 15, 2007.

4. The rule is proposed to be amended exactly as shown in the previous notice. The expanded statement of reasonable necessity provides as follows:

RATIONALE AND JUSTIFICATION: The proposed amendment is reasonable because it eliminates unnecessary delay in the application and approval process for location operators to use an approved automated accounting and reporting system when their record keeping functions will be performed by a route operator. The

division believes that because a route operator will have already demonstrated experience and competence in using an approved automated accounting and reporting system, there is not a need for the same testing prior to approval of a location operator's use of the automated accounting and reporting system. The application advance time for approval is therefore shorter. This rule amendment will eliminate that unnecessary delay and will result in more operators using an automated reporting system sooner.

5. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: Rick Ask, Gambling Control Division, 2550 Prospect Avenue, P.O. Box 201424, Helena, MT 59620-1424; Fax (406) 444-9157; or e-mail rask@mt.gov, and must be received no later than December 6, 2007.

6. An electronic copy of this Proposal Notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of this Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

By: /s/ Mike McGrath
MIKE McGRATH
Attorney General, Department of Justice

/s/ Jon Ellingson
JON ELLINGSON
Rule Reviewer

Certified to the Secretary of State November 13, 2007.